

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Endless River Technologies LLC,)	Case No. 1:18-cv-00936
)	
Plaintiff,)	Judge Donald C. Nugent
)	
vs.)	
)	
Trans Union LLC,)	
)	
Defendant.)	

**Report of Parties' Planning Meeting Under
Federal Rule of Civil Procedure 26(f) and Local Rule 16.3(b)**

1. Pursuant to Fed. R. Civ. P. 26(f) and LR 16.3(b), a meeting was held on August 17, 2018, and was attended by David Movius counsel for plaintiff Endless River Technologies LLC, Mark Masterson counsel for plaintiff Endless River Technologies LLC, and Tonya Newman counsel for defendant Trans Union LLC.

2. The parties will exchange the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1) and the Court's prior order by August 30, 2018.

3. The parties recommend the following track: Standard.

4. The case is suitable for one or more of the following Alternative Dispute Resolution (ADR) mechanisms: Mediation.

5. The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

6. Recommended Discovery Plan:

(a) Describe the subjects on which discovery is to be sought and the nature and extent of discovery.

Endless River presently expects to submit written discovery requests (e.g., requests for production of documents, interrogatories, and requests for admissions) and to conduct depositions. Much of the discovery will be in the form of Electronically Stored Information (ESI). Endless River also may conduct, to the extent necessary, third-party discovery by way of subpoena. Endless River likely will seek discovery on subjects relevant to this case including, but not limited to: the facts and circumstances surrounding the agreement in question as well as the development of the Quote Exchange; Trans Union's communications with third parties regarding the Quote Exchange; and the factual basis, if any, for Trans Union's counterclaims. This summary of anticipated discovery is just a summary and is not meant to limit the scope, nature, and extent of discovery that Endless River may seek.

Trans Union presently expects to submit written discovery requests (e.g., requests for production of documents, interrogatories, and/or requests for admissions) and to conduct depositions. Much of the discovery will be in the form of Electronically Stored Information (ESI). Trans Union also may conduct, to the extent necessary, third-party discovery by way of subpoena. Trans Union likely will seek discovery on subjects relevant to this case including without limitation the agreement between the parties and the parties' respective performance thereunder; the factual basis, if any, for Endless River's claims against Trans Union; and the factual basis for any counterclaims that Trans Union may

assert. This summary of anticipated discovery is just a summary and is not meant to limit the scope, nature, and extent of discovery that Trans Union may seek.

The nature, extent, and subjects of discovery, as listed above, are preliminary only. As such, the scope of discovery may change as the case and discovery proceed. The parties will abide by the Federal Rules of Civil Procedure and any applicable Local Rule with respect to limitations on discovery.

(b) With respect to the discovery of electronically stored information, the parties agree that, in lieu of the procedures set forth in Appendix K to the Local Rules, the initial production of documentary materials responsive to a Rule 34 request for production shall be by text-searchable tiff- or pdf-formatted image with appropriate load files. Following initial production, the parties may request supplemental production of designated materials in native format where reasonably necessary for the prosecution or defense of this case.

(c) Non-Expert Discovery cut-off date: March 29, 2019

(d) Expert report by party with burden of proof: April 26, 2019.

Report by party without burden of proof: June 7, 2019

Expert Discovery cut-off date: July 12, 2019

7. Recommended dispositive motion date: August 16, 2019.

8. Recommended cut-off date for amending the pleadings and/or adding additional parties: September 13, 2018.

9. Recommended date for a Status Hearing: January 15, 2019.

10. Other matters for the attention of the Court: The parties recommend that a stipulated protective order, which terms are to be negotiated by the parties, be entered to protect confidential information.

Respectfully submitted,

/s/ David T. Movius
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Respectfully submitted,

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Certificate Of Service

I hereby certify that on August 17, 2018, a copy of the foregoing ***Report Of Parties' Planning Meeting Under Federal Rule of Civil Procedure 26(f) and Local Rule 16.3(b)*** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

/s/ David T. Movius
Counsel for Endless
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